



21 Roszel Road
P.O. Box 5226
Princeton, NJ 08543-5226
609.924.0808 *main* | 609.452.1888 *fax*

www.hillwallack.com
Writer's Direct Dial: (609) 734 6373

May 2, 2016

Honorable Leda Dunn Wettre, U.S.M.J.
Martin Luther King Building & U.S. Courthouse
50 Walnut Street Room 4015
Newark, NJ 07101

Re: C.G.B. v. Santa Lucia, et al.
Civil Action No.: 2:15-cv-03401-SDW-LDW

Dear Judge Wettre:

As counsel for the defendants, Varoujan Khorozian and his son Kyle Khorozian, I am writing to respond to plaintiff's counsel's letter of April 28, 2016 (ECF23) by way of attaching here my April 8, 2016, letter to Mr. Burke. This letter is submitted for Your Honor's consideration in connection with the telephone status conference for this case scheduled before Your Honor for May 4, 2016, at 12:30 p.m.

My April 8, 2016, letter to Mr. Burke lists the discovery defendants have provided to plaintiff and the discovery defendants have requested from plaintiff. Plaintiff has not provided any discovery since her Rule 26 Initial Disclosures, nor has Mr. Burke responded to my April 8th letter.

Thank you for Your Honor's consideration of this letter and its enclosure.

Respectfully submitted,

HILL WALLACK LLP

By: s/Victoria J. Airgood
Victoria J. Airgood

Enclosure

cc: All counsel of record – via ECF (w/enclosure – 4/8/16 letter to D.Burke)



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VIA E-MAIL AND REGULAR MAIL

April 8, 2016

Donald F. Burke, Esq.
Law Office of Donald F. Burke
45 Gale Road
Brick, NJ 08723

Re: C.G.B. v. Santa Lucia, et al.
Civil Action No.: 2:15-cv-03401-SRC-CRW

Dear Don,

I write to summarize the discovery Varoujan and Kyle Khorozian have provided to you and the Khorozians' outstanding discovery requests to plaintiff. The summary reflects that while the Khorozians have provided extensive discovery to your office that corroborates their denial of plaintiff's allegations, plaintiff has not provided any discovery that corroborates her allegations. Accordingly, I reiterate the requests conveyed to you by the Khorozians' former counsel, Paul J. Giblin, Jr., Esq., by his letters of 7/9/15, 7/22/15, 8/7/15, and 8/26/15, that you voluntarily dismiss the plaintiff's complaint as its allegations and claims are frivolous.

Should plaintiff choose not to dismiss her complaint, please provide all requested discovery, as outlined below, by April 18, 2016, the due date of plaintiff's responses to Interrogatories and Requests for Production of Documents.

Discovery the Khorozians have provided to plaintiff:

- Mr. Giblin's letters to you of 7/9/15, 7/22/15, and 11/3/15, enclosing:
 - signed Affidavits of Aida Santa Lucia, Sister Dominique and John Mbufor Fonju;
 - photographs of Oceansafe and Washington, D.C., Cameroonian embassy meetings; photographs of plaintiff; and 1/2/14, 8/13/14, and 8/25/14 e-mails referenced in Ms. Santa Lucia's Affidavit;
 - death certificate of Derek Khorozian.

Donald F. Burke, Esq.
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- Letter of 3/17/16, enclosing:
 - the Khorozians' Rule 26 Initial Disclosures;
 - signed Affidavits of Apolonia Etembe Kono, Essama Obama, and John Mbufor Fonju.
- Letter of 3/21/16, enclosing:
 - Message-Fax, 28 January 2014, Cameroon, Prime Minister;
 - Letter, 25 January 2012, Cameroon, Ministry of Housing and Urban Development to Consolidated Engineering & Development Co., with English translation;
 - Flow chart, Construction of Social Housing in Nkombassi;
 - Letter, to Minister of Housing and Urban Development, regarding construction of housing in Nkombassi, with English translation.
- Letter of 3/22/16, enclosing:
 - Copies from Mrs. Kono's passport of pages bearing her visa for travel to the US issued October 2013, and exit and entry border control stamps in 2015.

The Khorozians' pending discovery requests to plaintiff:

- Interrogatories and Request for Production of Documents, served March 18, 2016.
- Letter of 3/17/16, requesting, for mitigation purposes:
 - Statement of facts supporting allegation of plaintiff's "present untenable situation".
- Letter of 3/21/16, requesting, for mitigation purposes:
 - Statement of facts supporting plaintiff's alleged fear of arrest and prosecution;
 - Statement of facts supporting plaintiff's alleged "living in the shadows.
- Letter of 3/22/16, requesting, for mitigation purposes:
 - E-mails stating threats by the Khorozians and/or Ms. Santa Lucia on the basis of which plaintiff fears being arrested and prosecuted here and/or in Cameroon.

Donald F. Burke, Esq.
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- Letter of 3/25/16, requesting:
 - “Documents regarding the disputed issues” as referenced by plaintiff’s Rule 26-Initial Disclosures.
- Letter of April 4, 2016, requesting:
 - Contents of Georgette Bininga’s Facebook account, being that account announced by the enclosed Facebook page printout.

Very truly yours,

HILL WALLACK LLP

By: 

Victoria J. Airgood

cc: Linton W. Turner, Jr., Esq. (via e-mail)